

Article - Public Safety

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§11–116.

(a) (1) Except as otherwise provided in paragraph (2) of this subsection, a person who violates § 11–114(b) of this subtitle is guilty of a felony and on conviction is subject to imprisonment not exceeding 20 years or a fine not exceeding \$10,000 or both.

(2) Paragraph (1) of this subsection does not apply to a person who neither intended to use nor used the explosives involved in violation of:

(i) Title 3, Subtitle 1 or Subtitle 5, Title 5, Subtitle 1, Subtitle 2, Subtitle 3, or Subtitle 4, § 6–602, § 7–402, or § 12–701 of this article;

(ii) Title 1, Subtitle 3, Title 3, Subtitle 7, or § 4–123.1 of the Agriculture Article;

(iii) Title 19, Subtitle 2 or Subtitle 3 of the Business Regulation Article;

(iv) Title 14, Subtitle 29, § 11–810, or § 14–1317 of the Commercial Law Article;

(v) § 3–218, § 3–305(c)(2), § 3–409(a) or (c), § 3–803(b), § 3–807(i), § 3–808(d), § 3–811(c), § 8–801, § 8–802, § 9–602(e), § 11–702(d)(8), § 11–708(d)(7)(ii), § 11–711(h)(2), § 11–712(c)(6)(ii), § 11–715(g)(2), § 11–716(h)(2), § 11–723(b)(8), or § 11–726 of the Correctional Services Article;

(vi) the Criminal Law Article other than Title 8, Subtitle 2, Part II or § 10–614;

(vii) Title 5, Subtitle 10A of the Environment Article;

(viii) § 5–503 of the Family Law Article;

(ix) Title 20, Subtitle 7 or § 21–259.1 of the Health – General Article;

(x) § 8–713.1, § 8–724.1, § 8–725.5, § 8–725.6, § 8–726.1, § 8–738.2, § 8–740.1, or § 10–411(a) or (d), as it relates to Harford County, of the Natural Resources Article;

- (xi) § 14–127 of the Real Property Article;
- (xii) § 6–301 or § 33–2503 of the Alcoholic Beverages Article;
- (xiii) § 109 of the Code of Public Local Laws of Caroline County;
- (xiv) § 4–103 of the Code of Public Local Laws of Carroll County;

or

- (xv) § 8A–1 of the Code of Public Local Laws of Talbot County.

(b) (1) Except as otherwise provided in paragraph (2) of this subsection, a person who violates § 11–114(c) of this subtitle or who conspires to violate § 11–114(b) of this subtitle is guilty of a felony and on conviction is subject to imprisonment not exceeding 20 years or a fine not exceeding \$10,000 or both.

(2) Paragraph (1) of this subsection does not apply to a person who had probable cause to believe that the explosives involved would be used for a purpose other than the violation of:

- (i) Title 3, Subtitle 1 or Subtitle 5, Title 5, Subtitle 1, Subtitle 2, Subtitle 3, or Subtitle 4, § 6–602, § 7–402, or § 12–701 of this article;
- (ii) Title 1, Subtitle 3, Title 3, Subtitle 7, or § 4–123.1 of the Agriculture Article;
- (iii) Title 19, Subtitle 2 or Subtitle 3 of the Business Regulation Article;
- (iv) Title 14, Subtitle 29, § 11–810, or § 14–1317 of the Commercial Law Article;
- (v) § 3–218, § 3–305(c)(2), § 3–409(a) or (c), § 3–803(b), § 3–807(i), § 3–808(d), § 3–811(c), § 8–801, § 8–802, § 9–602(e), § 11–702(d)(8), § 11–703(d)(5)(iii), § 11–706(b)(8), § 11–708(d)(7)(ii), § 11–711(h)(2), § 11–712(c)(6)(ii), § 11–714(c)(6), § 11–715(g)(2), § 11–716(h)(2), § 11–723(b)(8), or § 11–726 of the Correctional Services Article;
- (vi) the Criminal Law Article other than Title 8, Subtitle 2, Part II or § 10–614;
- (vii) Title 5, Subtitle 10A of the Environment Article;

- (viii) § 5–503 of the Family Law Article;
- (ix) Title 20, Subtitle 7 or § 21–259.1 of the Health – General Article;
- (x) § 8–713.1, § 8–724.1, § 8–725.5, § 8–725.6, § 8–726.1, § 8–738.2, § 8–740.1, or § 10–411(a) or (d), as it relates to Harford County, of the Natural Resources Article;
- (xi) § 14–127 of the Real Property Article;
- (xii) § 6–301 or § 33–2503 of the Alcoholic Beverages Article;
- (xiii) § 109 of the Code of Public Local Laws of Caroline County;
- (xiv) § 4–103 of the Code of Public Local Laws of Carroll County;
- (xv) § 8A–1 of the Code of Public Local Laws of Talbot County.

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